

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOE ABBOTT,
Plaintiff,
v.
E. TOOTELL, et al.,
Defendants.

Case No. [17-cv-04004-SI](#)

ORDER SUBSTITUTING PLAINTIFF

Re: Dkt. No. 10

This action was filed by plaintiff Joe Abbott, who was an inmate at San Quentin State Prison. In another one of Joe Abbot's cases, *Abbott v. Tootell*, No. 11-cv-183 LHK, Joe Abbott was represented by counsel who, in a joint status report filed February 6, 2018, confirmed that Joe Abbott died on January 31, 2018. *See* Docket No. 8. On May 7, 2018, Connie Abbott filed a notice of substitution in this action. Docket No. 10. She stated: "I am the wife of Joe Henry Abbott, and I am his legal next of kin. I would like to continue this matter as Pro Se as of now." *Id.* Defendants recently filed a notice of settlement, stating that "Defendants do not oppose this substitution." Docket No. 12 at 2. Accordingly, the court now orders that Connie Abbott is substituted in as plaintiff in place of the deceased plaintiff, Joe Abbott. The clerk shall update the docket to reflect the substitution of the plaintiff.

IT IS SO ORDERED.

Dated: September 26, 2018



SUSAN ILLSTON
United States District Judge